

# Notice of Allowability

Application No.

09/835,874

Examiner

Philip C. Lee

Applicant(s)

VANGE ET AL.

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/8/06.
2. ☒ The allowed claim(s) is/are 2-5,8-13,15 and 17-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

BUNJOB JARDENGNONWANT  
SUPERVISORY PATENT EXAMINER

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.
2. Authorization for the examiner's amendment was given in a telephone interview with Kent A. Lembke, reg. no. 44,866, on October 4, 2006.
3. The application has been amended as follows:
  - a. In the specification,
    - i. Page 7, line 17, delete "and"
    - ii. Page 7, line 20, replace "." with "; and "
    - iii. Page 7, line 21, insert " Fig. 9 illustrates in block form exemplary entities and relationships established during a web-based interaction in accordance with the present invention."

*Reason for Allowance*

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4. The following is an examiner's statement of reasons for allowance: None of the prior art of records teach or suggest in combination a method of transmitting packets from a computer onto a network, comprising: determining a priority value for each of the at least two data sets based on priority information parsed from the received at least two data sets; composing a composite data set comprising portions of the at least two data sets such that an amount of data from each of the data sets within the composite data set is based upon the determined priority values and wherein an order of the portions in the composite data set is selected based on the determined priority values, wherein the step of composing comprises: creating a connection buffer for each data set; organizing the connection buffers into logical rings of like priority value; and selecting portions of data from each logical ring at a frequency at least partially reflecting the relative priority of the logical rings; and transmitting the composite data set onto the network; determining for each logical ring a number of bytes held by all the connection buffers within that ring (nBytes); determining for each ring the number of connection buffers it holds that have data waiting to be sent (nReady); and determining a number of bytes to be sent from each logical ring.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C. Lee whose telephone number is (571) 272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip Lee



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER